

THE

TRIALS

Of all the

PRISONERS

WHO WERE

Try'd at the Affizes held at *MAIDSTONE*,
for the County of *KENT*, on *Monday, Tuesday, Wed-
nesday, Thursday* and *Friday*, being the *19th, 20th,
21st, 22d, and 23d of March, 1749-50*, before the Hon.
Sir THOMAS DENISON, Knt. one of the Judges of
the Court of *King's Bench*.

In which are the Remarkable

*Trials of John Stone, late of Challock Lees, for maliciously
and wickedly setting Fire to the Barn, Corn and Hay-Ricks of Mr. John Clarke of
Throwleigh; John Collington, a Gentleman Farmer of a considerable Estate, for
counselling, abetting, aiding and hiring the said John Stone to commit the said
wicked Act; also of Benjamin Baker and Francis Foster, for robbing on the High-
way; William Randal, for stealing a Mare; Henry Farleys, for robbing his Master,
the late Mr. Clarke, of Denton, of 14 l. 18 s. John Williams, for breaking open the
House of Richard May, of St. Cosmus and Damian in the Bleane, in the Night-time,
and stealing and taking away a Silver Watch, the Property of Stephen Gammon, who
received Sentence of Death.*

LIKEWISE

*Of James Lawrenson, for a Rape on Fanny Collier, a Child
of Ten Years old; William Barlow, for a Rape on Mary Ray, the Wife of William
Ray of Cliffe; Thomas Munn, for sending several threatening Letters to Michael
Comport, of Cobham in Kent, and Stephen Barret and Joseph Gregory, for going in
Disguise to the Barn of the abovementioned John Clarke of Throwleigh, and forcibly
taking him from thence, beating him, and firing a Carbine and Pistol at him, for
which Purpose they were hired by the abovesaid John Collington.*

The Second Edition, Corrected.

L O N D O N :

Printed for G. GRIFFITH, the Corner of *Elliot's Court*, in the *Little
Old Bailey*. 1750. (Price Three-pence.)

The TRIALS of the Prisoners at the Assizes held at Maidstone for the County of Kent, in March 1750.

Elizabeth Brooks, was indicted for feloniously stealing out of the House of *Hannah Quarrington*, at *Gillingham*, the Body of a Shift, a Pair of Shift Sleeves, one Gusset, two Shoulder Straps, and two Wristbands, the Property of the said *Hannah Quarrington*. Which Fact being proved, she was found guilty to the value of 10 s. and order'd to be Whipp'd.

Mary-Brantstone Benham, was indicted for feloniously stealing out of the Dwelling-House of *Richard Cutbush*, her Master, at *Maidstone*, one black Stuff Gown, five chequ'd Linen Aprons, two Caps, one grey quilted Petticoat, one Duffel Short Cloak, one black Silk Bonnet, two Silk Handkerchiefs, one Muslin ditto, one Pair of Shift Sleeves, one Pair of Silver Shoe Buckles, one Pair of Silver Sleeve Buttons, and five Crown Pieces, the Goods and Money, the Property of the said *Richard Cutbush*, the 20th of July last; which Fact being plainly proved, she was found guilty to the value of 39 s. and order'd for Transportation.

Margaret Whitnall, was indicted for stealing eight Yards of *Irish* Cloth, the Property of *Elizabeth Gill*, Spinster, out of her Shop in *Maidstone*.

Mrs. Gill, the Prosecutrix, depos'd, that the Prisoner came into her Shop the 16th of February last, and cheapen'd some Yarn; that on her going out of the Shop she suspecting she had stole something, followed her, and took from under her Apron the Piece of *Irish* Cloth mentioned in the Indictment.

The Prosecutrix's Evidence was confirmed by the Constable, who took Charge of her, and carried her before the Mayor.

The Prisoner in her Defence, said, she took the Piece of *Irish* Cloth to the Shop-door only to look at, in order, if she liked it, to buy some of it to make her two or three Caps, that she was not out of the Shop, and had no Intention of stealing it. But it being proved by the Prosecutrix that she was out of the Shop, and the Prisoner having no Witnesses to justify what she had said, or to appear to her Character, the Jury found her guilty to the value of 10 s. and she was order'd to be Whipp'd.

William Barlow, was indicted for committing a Rape on the Body of *Mary Ray*, of *William Ray*, of *Cliffe*.

Mary Ray, depos'd, that on the 28th of July last, between Ten and Eleven o'Clock in the Evening, in a Field belonging to Mr. John Proby in the Parish of *Cliffe*, as she was going home, she met the Prisoner; that the Prisoner follow'd her, threw her down, and clapp'd his Hand on her Throat to prevent her crying out, then put his Knees to her Bowels, and by main Force had carnal Knowledge of her.

Being required to explain what she meant by his having carnal Knowledge of her, said, that he enter'd her Body in the same Manner her own Husband had done, and that she sensibly perceiv'd an Emission from him; that she had been the Mother of Children, and had two alive at that Time. She farther depos'd, that he kept her in the Fields near three Hours afterwards, and had to do with her a second Time; that she endeavour'd to get away from him, and begg'd of him, for God's Sake, to let her go home; that she had a Child that suck'd at her Breast, but was left at home. At last she got from him, and got into a Lane, where he overtook her, near the House of one Hatch, where the Prisoner lodg'd; there he threw her down by main Force, and, against her Will, had carnal Knowledge of her as before; that he wanted her to unbutton his Breeches, and to commit several Indecencies. (Here she mention'd several obscene Actions, not fit to be put in print.) She then got away from him, and ran to Hatch's House, and call'd to the People to let in their Lodger, which they did, and then she went home and complain'd to her Husband in what Manner she had been used, and desir'd him to go and take the Prisoner up, for she could never be easy unless he was brought to Punishment. And she farther depos'd, that she being young with Child, miscarried, occasion'd by the Fright and ill Usage she had received from the Prisoner.

Being cross-examined, at the Request of the Prisoner, she was ask'd if she made any Complaint of what had been done to her, to the Woman at Hatch's who let the Prisoner in, and she said, No. Being ask'd if she did not ask at Hatch's for an old Shoe to be lent her, and said that she had lost one of her own in the Fields, she reply'd, Yes.

William Ray, the Husband of the Prosecutrix, depos'd, that on the 29th of July, early in the Morning, his Wife came Home, and related to him the same Story as above-mentioned. About Four o'Clock in the Morning he got up and went to the Prisoner's Lodgings,

Lodgings, where he found him in Bed and secured him, and carried him before Sir Francis Head, Bart. a neighbouring Justice of the Peace, who committed the Prisoner to Goal.

Elizabeth Cox being sworn, depos'd, that the Prosecutrix, Mary Ray had miscarried, and that she was present at the Time, which was some Time towards the latter End of July last, or beginning of August; but that she knew nothing as to the Fact for which the Prisoner was charged.

The Prisoner being called upon to make his Defence, said that he met the Prosecutrix in the Field, and they being acquainted, he kiss'd her, and what passed afterwards was by mutual Consent; and that he had to do with her twice in the Field, and once in the Lane; that after the first Time, she was more willing for it than he; that she kiss'd him, and was very fond of him, and proposed their going away to live together. That she told him her Husband had used her very ill, and was perpetually beating of her, and that she was determined not to live with him, and that she lov'd him (the Prisoner) much better than her Husband; that there was indeed an Obstacle at home, which was a Child sucking at the Breast; but that she would go home and take what Money there was, and then they would go to the West of England, and take the Child with them, where they would live together; and the Child being a Boy, the Prisoner approv'd of the Proposal.

The Prosecutrix, having declar'd in her Evidence that she was not acquainted with the Prisoner before this Affair happened, the Prisoner desired that Elizabeth Cox, the former Witness for the Prosecutrix, might be called, who being in Court and sworn, depos'd, that she had seen the Prisoner at the Bar at the Prosecutrix's House several Times, where she had twice dressed a Dinner for him.

Upon the whole, it not appearing to the Court that the Prosecutrix made any Complaint to the People at Hatch's House when she call'd them up to let in the Prisoner, tho' at the same Time she desired them to lend her an old Shoe to go home in, having lost one of her own in the Fields, and declaring in the Course of her Evidence that she was not acquainted with the Prisoner, though Elizabeth Cox swore positively to the contrary: The Jury duly weighing the Evidence on both Sides, brought in their Verdict *Not Guilty*.

William Hall, was indicted for feloniously entering the House of Thomas Butler, and stealing one Buttock of Beef the 22d of September, which being sufficiently proved, he was sentenced to be Whipp'd.

John Ware, was indicted for feloniously stealing out of the House of John Welch of *Stroud*, one light-colour'd Cloth Short Cloak, one black Silk Bonnet, one *Leopards* Hat, one chequ'd Apron, one coarse Apron, and one coarse Towel, the Property of

the said John Welch, and others, the 24th of Feb.

The Prisoner, (who drove one of the *Chatham* Coaches) in his Defence said, that he was hired to carry the Bundle, containing the Things mentioned in the Indictment, and the Witnesses not being able to prove that he stole them, the Jury acquitted him.

William Randal, was indicted for stealing a Bay Mare, the Property of George Maplesden.

The Prosecutor depos'd that he lost his Mare, and had her cry'd at *Dartford* Market, with a Description of her Marks, one of which was very remarkable, being the Mark of a Hand upon one of her Buttocks. That he soon after heard she was in the Hands of one Mr. Brown, a Farmer, with whom the Prisoner had left her, having borrowed three half Crowns upon her, and promised to redeem her and pay for her keeping.

George Carter, a Blacksmith, another Witness, depos'd, that he saw the Prisoner leading a Mare, and knowing that the Prisoner had left such a Mare in the Keeping of Mr. Brown, which answer'd to the Description he had heard cry'd at *Dartford*, he inform'd Mr. Maplesden of it, who paid Mr. Brown the three half Crowns and the Keeping; and a few Days afterwards, seeing the Prisoner, he had him apprehended, when the Prisoner confess'd the Fact.

The Prisoner on his Trial, having nothing to say in his Defence, nor any Body to call to his Character, the Jury found him guilty of the Indictment **Death**.

Thomas Wheatly and James Fanner, were indicted for robbing Peter Bennet in a foot-path near the King's Highway, in the Parish of *Willesford*, of one linnen Bag, and two Pounds and a half of Green Tea, the Property of the said Peter Bennet; and after a short Trial they were both acquitted.

James Joyce, was indicted (together with *Joseph Jacobs*, not yet taken) for entering the Dwelling-House of William Seager at *Trinfield*, and feloniously beating and wounding and demanding Money of Margaret Seager.

Margaret Seager depos'd, that the Prisoner and *Joseph Jacobs* came to her Father's House on Sunday the 22d of September, about half an Hour after Ten o'Clock; when Jacobs desired her to give him some Beer, which she accordingly did; he then ask'd her for some Beer for his Companion, the Prisoner at the Bar, which she likewise gave him. That then Jacobs demanded Money of her, and said, *By G-d, Money he must have*. That she being frighten'd was going from him, when Jacobs struck her over the Shoulders and on the Head with a great Stick or Bludgeon, and cut her terribly. That upon her running out in a Back-yard, and crying out, the Prisoner ran away along with Jacobs; and upon searching afterwards, she missed sixteen pennyworth of Halfpence out of the Drawer in the Shop.

Another Witness, who was a Neighbour, deposed to his following the Prisoner, and the taking of him, together with the Money upon him; and to his seeing the Prosecutrix in a very bad Condition, being very much wounded, and very bloody.

William Seager, the Prosecutrix's Father, depos'd, that he being Clerk of the Parish, was at Church, and upon his coming home, found his Daughter much wounded, and examining his Till, miss'd sixteen-pence in Half pence; but the Prosecutrix swearing that the Prisoner at the Bar did not strike or wound her, and that she did not see any Stick or Weapon that the Prisoner had, but that whatever Mischief was done was done by Jacobs, the Jury acquitted him.

He was a second Time indicted for feloniously stealing eighteen-pence in Copper Coin out of a Drawer in the House of William Seager of *Trinfield*, the Property of the said William Seager.

William Seager and Margaret Seager his Daughter, both depos'd to the same Effect as, in the last Trial, and the Person who took the Prisoner and the Money upon him, swearing positively that the Prisoner acknowledged that he and Joseph Jacobs took that Money out of the Prosecutrix's Till; and having Nobody to his Character, the Jury found him guilty of this last Indictment, and he was ordered for Transportation.

James Chaplow and John Nichols, were indicted for stealing a Boat from *Queen Stairs* in *Rotherhithe*, the Property of Hobday Winter. On the Trial it appeared, that after they had stole the Boat, they went on board some Coal Lighters in the River, and loaded the Boat with Coals, and that they rowed the Boat down with the Coals in it to *Greenwich*, where they offered the Coals for Sale; but it being suspected that they did not come honestly by them, they were apprehended and committed on Suspicion.

The Prisoners in their Defence said, that they wanted to go over the Water, and seeing this Boat which was not lock'd, they took her to carry them over; and being asked how they came by the Coals found in the Boat in their Possession, they said they did not know who put them there; And having no Witnesses to the Fact, nor any to speak to their Characters, they were both found guilty, and ordered for Transportation.

John Mason, was indicted for burglariously breaking and entering the Dwelling-House of John Hyde, Esq; on *Blackheath*, and stealing thereout a Pair of Pistols, Steel-mounted, a Brass Tea-Kettle, Lamp and Stand, and a Copper Tea-Kettle, the Property of the said John Hyde.

On the Trial no positive Evidence appearing that he was guilty of the Fact, but only something circumstantial, as that being overtook by a Man as he was passing over *Deptford Bridge* driving an Ass, who ob-

served him to be crying, asked him the Reason of it: To which he answered, that he heard that a Warrant was out to apprehend another young Lad for breaking open Mr. Hyde's House, which he was very sorry for, because himself was as deep in the Mud as the other was in the Mire. Upon which he was taken up, carried before a Justice, and committed. But none of the Goods being found upon him, and no Proof that he was guilty of the Burglary, the Judge observed that the Evidence was too slight to convict a Person for his Life, and the Prisoner was accordingly acquitted.

John Williams and Thomas Joiner, were indicted for burglariously breaking and entering the Dwelling House of Richard May, in the Parish of *St. Cosmus and Damian* in the *Bleane*, in the Night-time, and stealing from thence one Silver Watch, the Property of Stephen Gammon.

It appear'd upon the Evidence, that Richard May kept the House, and Stephen Gammon was a Lodger, and that they both lay together, and that the Watch was hung over their Heads; that in the Morning when they got up, they found the House broke open, and the Watch taken from the Place where they hung it when they went to Bed; and, upon the Prisoner's being apprehended and carried before Justice Pyott, he there made a voluntary Confession of the whole Transaction, and signed it.

Jesse Pilcher, Keeper of *Canterbury Goal*, being sworn, deposed, that Joiner being committed to his Custody, and producing a Watch, he ask'd him where he had it? the Prisoner, Joiner, answer'd that he had it from a House at *Tyler's-Hill*, which is the Name of the Place where Mr. May's House stands. The Watch was then shewn to Mr. Gammon, who swore it was his Watch, and the same which was stole that Night as Mr. May's House was broke open.

Then the Confession of John Williams was produced, and proved that he sign'd it voluntarily, without any Promises of Rewards or Threats.

In it he confesses, that he, the said John Williams, on the 17th Day of October last, about Twelve o'Clock at Night, broke open a House at a Place called *Tyler's-Hill*, in the Parish of *St. Cosmus and Damian* in the *Bleane*, by taking out a Pane of Glass in the Window, and getting in, having a dark Lanthorn; then he went up Stairs, and going into a Room, found two Men asleep; and seeing a Watch hanging over their Heads, he took it and came down Stairs, and got out the same Way he came in; that he afterwards deliver'd the Watch to his Companion Thomas Joiner, who was waiting for him hard by.

The Prisoners being called upon to make their Defence, had nothing to say as to the Fact, nor any Body to call to their Characters; and his Lordship, after summing up the Evidence, took Notice to the Jury, that the Confession of Williams did not affect Joiner; upon which the Jury, without going out of Court,

Court, brought Williams in guilty of Felony and Burglary, **Death**. And Joiner guilty of Felony only; and he was order'd for Transportation.

Phebe Paramour, otherwise **Parker**, was indicted as a Chear, for putting off bad Halfpence in Resemblance of the Copper Coin of this Realm, and thereby defrauding many of his Majesty's Subjects. Her Way of putting them off was by going to Shops and buying small Matters, which she paid for in these Halfpence; a great Quantity of which was found upon her when she was taken up. And she having nothing to say in her Defence, and nobody to call to her Character, the Jury found her Guilty. And she was sentenced to pay a Fine of 13s. 4d. to suffer six Months Imprisonment, and to give Security for her good Behaviour for six Months more.

William Osborn, was indicted for a Misdemeanor, in personating his Brother, Browning Osborn, and receiving 37l. of his Wages. After a short Trial, the Fact being fully proved, the Jury brought him in Guilty. And he was sentenced to pay a Fine of 13s. 4d. and to suffer six Months Imprisonment.

Mary Maplesden, was indicted for stealing two Shirts from Martha Roberts, in the Parish of *Alford*. Being convicted upon full Proof, she was ordered for Transportation.

Henry Farleys, was indicted for breaking open a Scrutore, in the Dwelling House of his Master, the late Mr. Thomas Clarke, of *Denton*, and stealing from thence four Portugal Pieces of Gold, valued at Three Pounds Twelve Shillings each.

Mrs. Clarke, Widow of the said Mr. Thomas Clarke, deposed, that the Prisoner at the Bar was their Servant, and used to go as the second Man with the Team; that they found the Scrutore broke open in July last, and the Pieces of Money mentioned in the Indictment were gone, but did not suspect the Prisoner, nor could she tell whom to suspect; but a little Time afterwards, having a general Washing, she heard some of her People say, that Farleys, the Prisoner at the Bar, had bought several Shirts, Handkerchiefs, and other Things, and that he was seen to have more Money in his Pockets than it could be supposed he came honestly by; whereupon she charged him with it, and had him examined: At first he stiffly denied it, but soon afterwards acknowledged the Fact; and said, that the Remainder of the Money which he had not yet spent was hid in the Side of a Ditch in an adjacent Field.

Another Witness depos'd, that being present when the Prisoner was examined, he heard him confess that he the Prisoner broke open his Master's Scrutore, and took the Pieces of Gold mentioned in the Indictment,

and that the Remainder of the Money which he had not spent or laid out was hid in the Side of a Ditch in such a Field, that he went along with him to the Place, where they found 3l. 19s. 2d. which was all that was left of the Money. That in carrying the Prisoner before the Justice, he said to this Witness that he was glad he was taken now; for as that Money was almost gone, he should soon have been ready to have taken more.

The Prisoner being called upon to make his Defence, had nothing to say; whereupon the Jury brought him in guilty. **Death**.

Lunn Reyney and **Margaret Bell**, were indicted for feloniously stealing out of his Majesty's Dock at *Chatham*, one Iron Bolt weighing 5 lb. two Ripping Irons, and one Drift Iron Bolt, weighing together 12 lb. each marked with a broad Arrow.

Orlands Shanks, and *John Drudge*, being sworn as Evidences for the King, proved the Fact upon the Prisoners: they were both found guilty, and order'd to be whipp'd.

Charles Cossins, was indicted for feloniously and forcibly stealing a promissory Note of Hand, made payable to John Grimes, of Order, for 14l. 2s. and 6d. from the Person of Mary Grimes, Wife of the said John Grimes, against the Statute in that Case made and provided.

The Witness produced to prove the Fact upon the Prisoner was Mary Grimes, who deposed, that the Prisoner came to her House, and asked her if she had got such a Note, she said yes, and fetched it down. That he took it out of her Hand by force, and told her, that he knew what to do with it better than she did, and carried it away.

She being cross-examined, was asked if she knew the Prisoner before: She said yes, for she had Cause to remember him, for that above twenty Years ago he stole her Head of Hair.

It was granted by the Council for the Prosecutor, on opening the Indictment, that the Prisoner had a Letter of Attorney from the Prosecutor to act and do for him; and that the Prisoner had been sued for the same Note as a Debt, the Court was of Opinion that the Prisoner could not be guilty of the Felony, as laid in the Indictment, and that he had a sufficient Authority for what he did; and there appearing some Ill nature in the Evidence of Mary Grimes, concerning the Prisoner's cutting her Hair off her Head when she was a Child, the Jury honourably acquitted the Prisoner.

Isaac Coleman, was indicted for burglariously breaking open the Dwelling House of John Pepper, at *Faversham*, and stealing from thence three Silver Spoons, one short red Cloth Cloak, one Silk black

black Bonnet, one black Velvet Hood, and divers other Goods, the Property of the said John Pepper.

The Felony was sufficiently prov'd, but the Burglary not being quite clear, so as to satisfy the Jury, they acquitted him of the Burglary, and found him guilty only of the Felony, and he was sentenced for Transportation.

James Oyer and William Postress, were indicted for feloniously and burglariously entering the Shop of Cornelius Humfry of *Brenchley*, and stealing three Pair of new Shoes, the Property of the said Cornelius Humfry, and one Pair of old Shoes, the Property of Robert Sales, in the Night between the 28th and 29th Days of October last.

The Felony being prov'd, but not the Burglary, the Jury found them guilty of the first, but acquitted them of the last, and they were order'd for Transportation.

Andrew Clarke and Margaret Smith, Widow, were indicted for receiving one Pair of Brails Scales, one Hammer, eight Diaper Clouts, two Brails Candlesticks, and one Pair of Child's Shoes and Stockings, the Property of Tho. Manning, knowing them to be stolen. It appearing that the Prisoners took in small Pawns, and there being no Probability that they knew the Things to be stolen, the Jury acquitted them.

Ann Dunn, Wife of Robert Dunn, was indicted for feloniously stealing out of the Dwelling-House of Isaac Hooley, in *East Greenwich*, twenty five coloured, and six Scots Handkerchiefs, the Property of Simon Hall.

The Jury, upon hearing the Evidence, found her guilty to the Value of 4s. 6d. and she was order'd for Transportation.

Henry Philpot, and James Philpot, were indicted for stealing two new Shirts, the Property of Thomas Weller, one old Shirt, and one Pair of worsted Stockings, the Property of John Avery, and a Pair of new Pumps, the Property of Peter Couchman.

In the Course of the Evidence it came out, that Henry Philpot was only guilty of the Charge in the Indictment, and that his Brother James had no Concern in it; upon which Henry Philpot was found guilty to the Value of 10d. and order'd to be whipt, and his Brother James Philpot acquitted.

John Stone, late of *Challock Lees*, was indicted for maliciously and wickedly setting Fire to the Barn, Corn, and Hay Ricks of Mr. John Clarke of Throwleigh; and **John Collington,** late of Throwleigh aforesaid, as Accessary, in counselling, abetting, aiding, and hiring the said Stone to commit the said wicked Act.

The Council, in opening the Indictment, set forth the heinous and aggravated Nature of the Crime with which the two Prisoners were charged, and which they doubted not but they should be able to prove. That there was sufficient Proof, as well as the most notorious Facts, to shew that Collington was possessed of such a Spirit of Malice and Revenge as scarce ever was in any Man before. That he had concerted this Mischief, and carried it into Execution against Mr. Clarke, a Man who had never injur'd him, and for no other Reason, than because he did his Duty as Churchwarden of the Parish, in obliging him to pay for the keeping of one of his own Children, whom he would have starv'd, and had used in the most cruel and barbarous Manner. This was the true Grounds of his Malice against Mr. Clarke; for this he threaten'd him, and Mr. Hernden the Overseer, with Death and Destruction; and though he did not actually do Mischief to the latter, yet this was not owing to any Goodwill that he owed to him more than to Mr. Clarke, but to the Prevention of Providence, which would not suffer him to proceed any farther in his Wickedness. Mr. Clarke happen'd to be the first Object of his Revenge; and we shall shew, by the Course of the Evidence, that he wreak'd his Malice to the utmost against this innocent Man, and that he had actually a Design on his Life; for we shall make it appear, by incontestible Evidence, that he sent three Men, disguis'd and arm'd, to the House of Mr. Clarke, who, not finding him within, went to his Barn, where they found him, dragg'd him out, beat him, and set him on Horse-back, and carried him away; and, when on the Road, apprehending his Life was in Danger, he jump'd off, and made his Escape, tho' at the manifest Hazard of his Life, for one of the Villains fired a Carbine after him, and another a Pistol, but happily miss'd him. Collington, tho' thus disappointed, yet still resolves on his Revenge. To this End he procures the Prisoner Stone to set Fire to the Barn and Ricks of Mr. Clarke; and that he might be sure it should be done effectually, he hires one Luckhurst to join with Stone in this villainous Action. Accordingly Luckhurst engages in it, and for the Sake of a Guinea, promis'd to be jointly concern'd with Stone in it. Luckhurst indeed was wicked enough to take the Money, and to engage in the Affair, but not so harden'd, but that when he heard he was only suspected of it, such a Remorse came on his Conscience that he fell down in a Swoon, and being recover'd, confess'd all; and from his Evidence it is we have been enabled to trace this Affair to the Bottom, and to bring these two Delinquents, Collington and Stone, to the Bar of Justice.

John Clarke being call'd and sworn, deposed, that receiving a Warrant from the Quarter Sessions, to levy on the Goods of the Prisoner Collington, for Money due to the Parish of Throwleigh, of which he was Church-warden, for maintaining a Son of Collington's, which he had turned out of Doors, and which

which Boy had lodg'd about the Parish, till an Order came from a Justice of Peace, to require the Officers of the Parish to take Care of him; that, according to the Warrant, he, and Mr. Hernden the Overseer of the Poor, and a Constable, went to Mr. Collington's House, and levied the said Warrant; that then the Prisoner Collington said to this Deponent: *You are a full Mark; you can't well be miss'd; I'll be reveng'd of you by Hook or by Crook, for, d—n ye, I'll spoil your Stammering;* (Mr. Clarke having a Stammering in his Speech) and then he ask'd Mr. Clarke if he had made his Will; upon which Mr. Clarke ask'd Collington if he intended to murder him, when Collington replied, *No, I don't intend to murder you; but I don't know but that you will be murder'd.* That on the 17th Day of November, in the Evening, just before it was dark, two Men, Michael Pain and Joseph Gregory, came to his House and ask'd for him; and Clarke being in his Barn, with two Men who were a threshing, they came to the Backside of the Barn next the Road, when they both leap'd off their Horses, and gave them to Philip Barret, who was on Horseback along with them, to hold them at the Yard Gate. That Pain then came up to him, and ask'd him if his Name was Clarke, and on his saying it was, he said he desired to speak with him. That Mr. Clarke, not caring to go out of the Barn, being afraid of them, desired he would speak to him there; upon which Joseph Gregory (who was a Dragoon, and in Disguise as well as the others, and had a Pistol in his Hand) laid hold of him, and by main Force pull'd him out of the Barn, and then swearing a great Oath, said he was come to demand Mr. Collington's Boy; that he, Gregory, was a Lieutenant to Capt. Williams, who was Captain of a Man of War, and that the Boy was the Captain's Apprentice, and that if he did not let Collington's Boy go along with them, they would take him (Mr. Clarke) along with them, and make him suffer for it. That then Mr. Clarke, this Deponent, told them that he had an Order from the Quarter Sessions to do what he had done, and if he had done any Thing that he could not justify, he was willing to go before a Magistrate to answer for it; when Pain reply'd, *d—n him and his Order too; don't stand to contend with him.* That then Gregory immediately seiz'd him and pulled him out of the Barn, and by the Help of Pain dragg'd him to the Horses, Barret sitting on one, holding the other two in his Hand. That he struggling, and refusing to get up behind Barret, Gregory beat him with a great Stick, and threatened to blow his Brains out; that then Pain and Gregory threw him on the Horse behind Barret; that he jump'd down, and then Gregory beat him again, and Barret cry'd out, if he won't come quietly, *blow his Brains out.* That then he was put upon the Horse a second Time and he got off again, when Gregory beat him again. Gregory said, *d—n him we'll kill him,* and Barret reply'd again, *d—n him, blow his Brains out.*

That then Pain desired they would not beat him any more; and then Mr. Clarke said, 'If you will let me alone, I will get up behind that Man, (meaning Barret) myself;' he thought he had better do so than be kill'd by them, as he imagined he should, if he did not comply with them. That in riding along, Pain being before, they came to the Gate of the Yard before Mr. Ruck's House, which happened luckily to be open; upon which he jumped off, and ran in, when they immediately fired two Pieces after him, one a Pistol which Gregory had, the other a Carbine or Gun, which Barret had.

Being asked if he saw them fire, he replied no, he could not, as his Back was toward them, and he running; but he had the greatest Reason to believe that the Pieces were fired by them, for he heard the Bullets whiz by him, and saw them dash into a Pond, in the Yard, as he was running, and that it frighten'd some Ducks out of it.

Being asked what his Men did in the Barn, and whether they offer'd to assist him, he answer'd, that he looked over his Shoulder in Expectation that they would have assisted him, but Pain and Gregory both swore in a most terrible Manner, that if they stirr'd, or offered to give him the least Assistance, or made the least Noise to call any Body, they would murder them. For which purpose Gregory presented his Pistol, which so terrified the poor Men, that they were struck half dead, and could not stir Hand or Foot to assist him.

Then Mr. Clarke farther depos'd, that after he got into Mr. Ruck's House, he heard them discoursing together what they should do. Gregory and Barret propos'd to come directly to the House and take him away; but Pain (as he believed by his Voice) said, *No, we will come another Time and fetch him away.*

Mr. Clarke being asked, if he had ever seen any of these Men before; to which he reply'd, that he had; that Barret and Pain came armed to his House on the 29th of August last, and demanded Mr. Collington's Boy, and threatening that if he did not deliver him, they should come again and make him suffer for it.

Mr. Clarke farther said, that upon recovering from his Surprise, he acquainted some Friends with what had happened; who advis'd him to apply to a Justice of the Peace for a Warrant to take up Collington, since he went in Danger of his Life, as imagining that Gregory and the two others were employed by him in it. Accordingly he got a Warrant from Justice Knight, and Collington, one of the Prisoners at the Bar, was apprehended and brought before the said Justice; where being asked if he had any Sureties to answer the Complaint of this Deponent, he answered with a great deal of Haughtiness and Insolence, that he could have enough, but he would give none; whereupon he was committed to Canterbury Goal.

This Witness being now asked by the Council for the King, if Barret, Gregory and Pain told him what they

They intended to do with him when they took him away; he said, that they told him that they would carry him to a Place called *Long Beach*, which is a large Wood, where they would make him suffer for detaining Collington's Boy; and as to themselves, they valued nothing, for they were all outlawed Smugglers, and were Five hundred Pound Men, if they were taken.

He was then asked, if he had not some Barn, or something else, set on Fire soon after this? He replied, that on the Wednesday following, being the 22d of November, his Barn, two Ricks of Corn, one of Barley, the other of Beans, and two Stacks of Hay, were burnt down about Ten or Eleven o'Clock at Night; but who set them on Fire he did not know, though he has been since informed by one William Luckhurst, that they were set on Fire by John Stone, one of the Prisoners at the Bar, and that he was hired to do it by Mr. Collington the other Prisoner.

William Luckhurst, being call'd and sworn, deposed, that one Robert Curling, a Tenant of the Prisoner Collington's, on Monday Night, the 20th of November last, came to him, and told him, that he was just come from Canterbury Goal, that Mr. Collington desired to speak with him at the Goal there. Accordingly next Morning he set out, and walk'd to Canterbury; and got there about Nine o'Clock in the Morning; that he went into the Goal, and saw Collington and Stone, the two Prisoners at the Bar, in a Room by themselves; that Collington then ask'd him, if he would undertake to do a Jobb for him along with that Man, meaning the Prisoner Stone. Upon which he ask'd Mr. Collington what the Jobb was? Collington replied, that it was to set Fire to the Barn, Corn, and Hay Ricks of Mr. Clarke and Mr. Hernden, the Church-warden and Overseer of the Parish of *Thorncliffe*, for that he was determin'd to be reveng'd of them, for detaining his Boy, and for bringing him into all this Trouble. That, at first, he, this Witness, made some Hesitation; but Collington pressed him hard to do it, and offer'd him a Guinea, upon which he promis'd to undertake it, and then Collington gave him a Guinea into his Hands.

That then Stone, and this Witness, agreed on a Time and Place to meet the next Day, at Night, which was at a Place call'd *Bell's-Foster*, which was not a great Way from Collington's House. Accordingly, the next Night, about 10 o'Clock, which was Wednesday the 22d, Stone came to him, according to Appointment, upon one of Collington's Horses, the Witness then waiting for him; They then went immediately to Mr. Clarke's, and the Prisoner Stone bid him stand in the Lane to look out, while he went and set Fire to the Barn; that, in a few Minutes after, Stone got up to the Barn, the Barn was on Fire at the Place where Stone stood, which soon communicated itself to the Corn and Hay Ricks. That then Stone came to him, and ask'd him to go with him to

set Fire to Mr. Hernden's Barn and Ricks; but this Witness being terrified with what he had already seen, desir'd him not to go any farther, for he thought there was Mischief enough done already; upon which Stone and he parted, and Stone went to Collington's House to sup; that he saw him go towards Collington's House, and then he, this Deponent, went home.

Being ask'd how long he had known Mr. Collington, and whether he was certain that Stone, the Prisoner at the Bar, was the Person who agreed and went with him to set Mr. Clarke's Barn and Ricks on Fire, according to the Agreement they had made with Mr. Collington in *Canterbury Goal* the Day before? to which he reply'd, that he had known Mr. Collington a great while, and that for this Time he had work'd with him only from last Harvest, and that he was certain the Prisoner Stone was the Man.

Being ask'd with what it was that the Prisoner Stone, set the Barn on Fire; he said he could not certainly tell; but he saw only a Pipe in his Mouth, and that he might light a Match with it, yet he believed he had a dark Lanthorn under his Great Coat: But be it which Way it would, he was certain Stone set it on Fire; for in about two Minutes after Stone went up to the Barn it was all in a Flame, at the very Place Stone stood, and from which he saw Stone come away; and that Stone said to him, that as I have now set Clarke's Barn on Fire, and that Part of our Jobb is done, that he would then go and set Hernden's on Fire; which was prevented by this Witness's dissuading him from it.

Robert Curling, being called and sworn, deposed, that on Monday the 20th of November last, the Day after Collington was committed to Goal, he carried Mrs. Collington on Horseback behind him to *Canterbury*, to see her Husband. That then Mr. Collington desired him, when he came away that Afternoon, that he would call upon Stone, who was a Tenant of Collington's, and kept an Alehouse at *Challock Lees*, and likewise upon William Luckhurst the last Witness, and to tell them he wanted to speak to them; that he did accordingly call upon them, and delivered Mr. Collington's Message to them separately.

Being ask'd how long it was that he delivered Collington's Message to Luckhurst and Stone before Mr. Clarke's Barn and Ricks were set on Fire, he said the Monday Night before.

William Wells being called, appeared, and being sworn, deposed, that on Tuesday Morning, the 21st of November last, between Seven and Eight o'Clock in the Morning, he met William Luckhurst, the former Witness, upon *Boston-Hill*, which is in the direct Road for *Canterbury*, and within six Miles of it. That he ask'd the said Luckhurst, where he was going that Way? He told him that Mr. Curling, the last Witness, had called upon him the even Night, and told him that Mr. Collington wanted to speak with him.

him in *Canterbury* Goal, and that he was then going thither for that Purpose.

Being ask'd if he had heard any Thing of Mr. Clarke's Barn being set on Fire? he said, that he had heard that it happened the Day after he had met Luckhurst upon the Road going to *Canterbury* as aforesaid.

Mr. Birch being sworn, deposed, that he was at Collington's House that Night as Mr. Clarke's Barn and Ricka were burnt down; That about Eight o'Clock he saw the Prisoner Stone there, in private Discourse with Mrs. Collington, who was return'd home from her Husband at *Canterbury*; that he saw him go away from thence about Eight in the Evening, and that about Ten o'Clock Mr. Clarke's Barn and Ricka were burnt down.

Valentine Coveney, being sworn, deposed, that he lodged at the House of the Prisoner Stone, and that on Wednesday the 22d of November last, Stone was absent from his House the greatest Part of the Afternoon and Evening; that about half an Hour after Eight o'Clock, Stone came home upon one of the Prisoner Collington's Horses; that Stone then went up to his Wife, and after some private Talk, came down, got on Horseback, and rode away, and did not return home that Night.

Being ask'd whether it was common for Stone to be out of a Night? he said, no; he never knew him do so before.

Another Witness deposed, that this Affair being pretty much talk'd of, and that there was some Suspicion of Luckhurst, he happened to meet him the 2d of December, and told him he was suspected of setting Fire to Mr. Clarke's Barn; upon which Luckhurst, in a Surprise, immediately sunk down and swooned away, and as soon as he recovered, cried, and said, *I will confess the whole*, without any Thing more being said to him by this Witness. That he then carried him before Justice Knight, where he gave a voluntary Information, that Collington had sent for him, by Mr. Curling, to *Canterbury* Goal; that he went to him the next Morning, and found John Stone of *Challock Lees* with him; that Collington then gave him a Guinea to be concerned with Stone in setting Mr. Clarke's and Mr. Hernden's Barns and Ricka on Fire: That then Stone and he agreed to meet the next Night at *Ball's-Foster*, near Mr. Collington's, in order to do what they had agreed upon.

That accordingly the said John Stone came to him about Ten o'Clock the next Night; that they went directly to Mr. Clarke's Barn, where Stone set the Barn on Fire, which soon communicated itself to the Corn and Hay-Ricks. That the said John Stone then proposed to go and set Fire to Mr. Hernden's Barn, but was prevented by the Persecutions of him William Luckhurst, upon which Information the Justice granted him Warrant for the apprehending of Stone; who being taken up, and brought before him, he commit-

ted them both to Goal the 3d of December, Luckhurst on his own Confession, and Stone on the Information of Luckhurst.

Here the Council for the King rested it, and concluded with saying, that they had produced all the circumstantial Evidence that could be required to corroborate and support what Luckhurst, the Accomplice, had sworn against the two Prisoners at the Bar, so as to bring the Crime home to them.

The Prisoners being called upon to make their Defence, denied their being guilty. And being asked if they had any Witnesses to call, Stone said, he could call Witnesses to prove that he was not from his own Home till near Ten o'Clock in the Morning, Tuesday 21st of November last, the very Day that Luckhurst swore he was in *Canterbury* Gaol; that he then went out in Company on Horseback with one Henry Head to the Woolpack at *Chilbam*, six Miles from *Canterbury*, where he dined, and did not come from thence till Three o'Clock in the Afternoon.

Richard Holland was then called, who being sworn, deposed, that on Tuesday the 21st of November last, he was at Plough in a Field about three Miles from the Place where Stone lived, and that he saw Stone and another Man on Horseback, who both rode up to him as he was at plough; that he knew the Prisoner Stone very well, but as to the Man along with him, he could not say that he knew him; that he was very sure it was between Ten and Eleven o'Clock in the Morning, and that Stone told him they were going to *Chilbam* to Dinner, and that they rode both of them forward the Way to *Chilbam*.

Being cross-examined, he was asked, if he knew the Person who was riding with Mr. Stone; he made a good many Hesitations at first; but the Judge telling him that he was upon his Oath, and in a Court of Justice, and that he must give a plain and direct Answer to the Question asked him, he then said, he did know the Man, and that his Name was Henry Head; And as he had before sworn that he did not know the Man, and boggled very much in his Evidence, very little Credit was given to him, as will appear by the following Witnesses.

Henry Head was produced, and being sworn, deposed, that he did ride with Stone from his own House, about Ten o'Clock in the Morning, to *Chilbam*, where they dined at the Woolpack, and staid there till Three o'Clock in the Afternoon; but could not take upon him to swear either to the Day of the Month, or what Month it was in.

Being asked whether he knew Holland the last Witness, or that he remember'd Holland being in a Field at plough at any Time? He said, no, he did not remember that he had ever seen Holland till within a few Days last past.

Collington in his Defence, said, he could prove that Luckhurst never was with him in *Canterbury* Goal the Day he had sworn to, nor till the Saturday after Mr. Clarke's Barn was burnt; that it was impossible for

for him to have any private Conversation there with Luckhurst or any Body, for that he was debarred Pen, Ink and Paper, and was closely watched by Order of a Justice of the Peace; all which he should prove by the Testimony of several credible Witnesses.

The first Witness call'd was Mrs. Pilcher, Wife of the Canterbury Goal Keeper, who deposed that they had received an Order from Justice Pudner to keep Mr. Collington from having any private Conversation with any Body, and that he should not have the use of Pen, Ink or Paper. She deposed likewise, that William Luckhurst was not at the Goal the 22d of Nov. last; that Mr. Collington was in the Kitchen, and had Luckhurst been there, she must have seen him. But being asked, as she was upon her Oath, whether it was impossible for Luckhurst to be there, and she not to see him, she hesitated; and after some seeming Reluctance, reply'd, it was not impossible but he might have been there, and she not see him, she being absent sometimes in other Parts of the House.

Then the Daughter of Mr. Pilcher was called, who deposed to the same Effect as her Mother had: But the same Question being put to her as was to her Mother, she likewise hesitated very much, and answered much to the same Purpose; and that Luckhurst might possibly have been there, and she not see him at such Times as she had been busy in other Parts of the House.

Edward Ladd, being call'd and sworn, deposed, that he was in Canterbury Goal, and desir'd, by Mr. Pilcher the Keeper, to look after Mrs. Collington, and to see that no Person had any private Conversation with him. That on Tuesday the 21st of November last, being the first Tuesday after Mr. Collington was committed, he was with him, from between Eight and Nine in the Morning, till Two in the Afternoon; that he was very certain, that William Luckhurst, who had appear'd as an Evidence upon this Trial, was not with Mr. Collington, during that Time, for if he had, he should have seen him.

Being cross-examin'd very strongly, whether it was not possible for William Luckhurst to have come into the Goal, and convers'd with Mr. Collington, in that Time, without his seeing him? He did not presently give an Answer, but, after some Hesitation, said, he did not know but he might have come in without his seeing him.

He was then ask'd, if he knew the Prisoner Stone, and whether he saw him there, Tuesday the 21st of November last, along with Collington? After some Hesitation, and a good deal of Reluctance, he said, he believ'd he did see the Prisoner Stone, that Day there, and in Mr. Collington's Room.

Jeffer Pilcher, the Keeper of Canterbury Goal, who had been call'd for near an Hour before, at last appear'd in Court; and being sworn, was ask'd, if he gave any Orders to the last Witness, Ladd, on Tues-

day the 21st of last November, to look after the Prisoner Collington, to prevent his having any private Conversation with any Person whatsoever. He reply'd, No, not as he remember'd; he believ'd he might speak to him, to desire him to have an Eye over the Prisoners in general, but nothing more.

Being asked whether he remember'd his seeing the Prisoner Stone and William Luckhurst, who had given his Evidence in this Trial against the Prisoners, in the Goal on Tuesday the 21st of November last; reply'd, that he is very certain he did not see Luckhurst there that Day, but that the Prisoner Stone was there that Day, and along with the Prisoner Collington; and that he remember'd seeing Luckhurst there the Saturday following, but not before.

He farther depos'd, that he received an Order from Capt. Pudner, a Justice of the Peace, to keep Collington from Pen, Ink and Paper, and from having private Conversation with any Body; but that he was often out; and that it was very possible that Luckhurst might have been with Collington that Day, and he not have seen him.

He was now ask'd, what Room the Prisoner Collington was kept in; and in going in from the Gate, whether the Room was on the Right or Left Hand? To which he reply'd, that in going in from the Gate it was of the Right Hand. Which so far confirmed the Evidence of Luckhurst, who swore that it was in a Room on the Right Hand after he was let into the Prison, and likewise disproved that of some of the Witnesses who had been produced for the Prisoners, who swore that Collington was in the Kitchen.

Then a Daughter of the Prisoner, Collington's, a young Gentlewoman of about 17 Years of Age, was called and sworn, who deposed, that she was with her Father on Tuesday the 21st of November last, till about half an Hour after Ten o'Clock in the Morning, and that she did not see Luckhurst; that she is very certain as to the Time, because she went from thence to Prayers at the Cathedral, which opens at Ten o'Clock, and when she came there the Service was so far advanced, that the Organ had begun to play.

The Court, in regard to the young Gentlewoman, considering the Tenderness of her Case, as the Prisoner was her Father, forbore to cross-examine her as they had done the other Witnesses.

Collington then called some Persons to his Character. Those who appeared, did not care to say any Thing at all about him.

The Witnesses on both Sides having finished their Evidence, the judge summ'd up the whole to the Jury in a very impartial Manner. Upon which the Jury withdrew, and in a short Time returned, and brought both the Prisoners in guilty. **Death.**

During the Time the Jury were gone out, Collington behaved himself, as he had done through the whole Trial, in the most insolent and audacious Manner; and turning his Back to the Court, he sat himself down

down in that Position, as if in Contempt and Disdain of the Authority of the Court. Which his Lordship taking Notice of, was pleased to reprimand him for it, and to tell him, that he ought to consider that he was now before a Court of Justice, which had Power of Life and Death; that his Behaviour was such as he had never yet seen, in any Man in his Circumstances, who was then upon Trial for his Life.

When he came to receive Sentence of Death, he begg'd his Lordship to indulge him so far as to permit him to read the following Paper, which he had drawn up; which his Lordship acquiescing in, Collington put on his Spectacles, and with an audible Voice read as follows.

MY LORD,

I Humbly beg your Lordship's Pardon, if by turning on one Side when I took my Trial, gave your Lordship Offence; which was not intended to affront your Lordship; but owing to the Pain I was under by standing so long in heavy Irons, and at the same Time being grievously afflicted with the Gout, so that I was obliged to change my Position for a little Ease. My Lord, I am sensible of your Lordship's great Goodness and Candour to me on my Trial, and though my Enemies have thirsted after my Life, and have been industrious in propagating false Reports of me, there is a great God I must appeal to, who knows my Innocence, and to my last Moment I shall declare I am not guilty of the Fact for which I am to die, as I do now solemnly declare to your Lordship in this Court, that I did never hire, advise or procure William Luckhurst, or any other Person, to burn Mr. John Clarke's Barn; or was the same done by my Knowledge or Consent. The Concern for my own Life, my Lord, is not so much as for my unfortunate Fellow-Sufferer John Stone; and what can that wicked Man Luckhurst think of himself hereafter, when he has caused two innocent Men to die, for a Crime which he himself alone meditated and perpetrated. And, my Lord, I beg your Lordship will consider, how impossible it was that I, being in Prison in Canterbury Goal, deprived of Pen and Ink, and watched continually, not permitted to speak to any one in private, should think of any such Design of employing Luckhurst, who did not come to Canterbury Goal till the Saturday after the Tuesday he has falsely swore he saw me there; and I solemnly protest I never saw him or spoke to him in Canterbury Goal, but in the Public Room.

I hope God will bless your Lordship in shewing Mercy to me, having a Wife and Eight Children; or that your Lordship will be pleased to grant me some farther Time to settle so great a Concern and my Family Affairs, and I shall ever pray.

John Collington.

Christopher Barret and Joseph Gregory, were indicted for going, arm'd with Fire-Arms and other offensive Weapons, in Disguise, to the Dwelling

House of John Clarke of *Throwleigh*, and forcibly seizing and carrying him away against his Consent, and beating and firing at him, with an Intent to kill him, against the Statute in that Case made and provided.

Mr. Clarke being called and sworn, deposed to the same Effect as he did in the former Trial, from the Time of their coming to the Barn and taking him from thence, 'till he made his Escape into Mr. Ruck's House.

Then Michael Pain, an Accomplice, being called and sworn, deposed, that Mr. Collington, the Prisoner, who was try'd last, desired him, this Witness, and Christopher Barret to come and dine with him on the 17th of Nov. last, at his own House, which they accordingly did; that Collington sent one of his Horses to *Feverham* to fetch Gregory, who accordingly came, dress'd in Soldiers Cloaths, being a Dragoon. That when Gregory came there, Collington took off his Soldier's Coat, and put him on a Grey Coat, and took Barret's Coat off, and put him on a Waggoner's old Frock; and then took off Gregory's Hat, and Barret's and this Witness's Hats and Wiggs, and put them into a Bag, and gave them all black Jockey Caps. That he then gave this Deponent a Horn full of Gunpowder and two Balls, and to Gregory a Horse-Pistol, and to Barret a Piece like a long Gun. That he then told them to go to Mr. Clarke of *Throwleigh*, and seize and bring him away, and if he refus'd to come voluntarily, that they should bring him away by Force; and that just as they were setting out, Collington himself ask'd them if their Pieces were all loaded.

Upon his being ask'd, what their Intention was, by carrying those Fire-Arms, and what their Orders were, in relation to Mr. Clarke, from Collington? He then began to shuffle in his Evidence very much; which the Court taking Notice of, told him, that he was then in a Court of Justice, and therefore he must speak the whole Truth, that they imagin'd he knew the whole Affair, and therefore he must not conceal any Thing. But all the Answer he would make, was, that their Orders, from Mr. Collington, were, to secure Mr. Clarke, and bring him to him, where he would make him make up the Law that was between them; and that their Design, in carrying those Fire-Arms, was only to scare him, in case he did not come readily along with them, which was all, he said, that he knew of the Matter.

There being no other Witnesses to bring the Matter home to the Prisoners, his Lordship observ'd, that Pain's Evidence was not sufficient to prove the Charge so full as the Words of the Statute required on which they were indicted. Upon which the Jury acquitted them.

On the People in the Town being acquainted of their Acquittal, they were extremely sorry; for it was plain, that that notorious Fellow Pain, prevaricated in his Evidence, and that he concealed

coasted a great Part of the Fact with which he was undoubtedly acquainted. The People therefore were in some Pain for fear two such notorious Villains as the Prisoners were, should escape unpunish'd, for a Crime which every Body was perswaded they were guilty of. However, they were a little relieved from their Uneasiness, when they heard that the two Prisoners were again indicted for assaulting, beating, wounding, and carrying away the said Mr. Clarke, and putting him in Danger of his Life. And on the Friday following, the Prisoners were again brought to the Bar of Justice.

Christopher Barret and Joseph Gregory, were a second Time indicted for violently assaulting, and forcibly, against his Consent, carrying away John Clarke from his Dwelling House, &c.

On this Indictment Mr. Clarke was again sworn, and deposed to all the Particulars which he had sworn to in the former Trial of Collington and Stone.

Then Michael Pain, the Accomplice, was again called; but prevaricated in his Evidence just in the same Manner as he had done in the last Trial.

Then a Gentleman, who lived near Mr. Ruck's, being sworn, gave Evidence as follows: That on November 17, bearing a Noise in the Road, he went out to see what was the Matter; where he saw Mr. Clarke behind the Prisoner Barret on Horseback, and the Prisoner Gregory riding after; that he saw Mr. Clarke jump off from behind Barret, and run in at Mr. Ruck's Gate, and that then he saw the two Prisoners fire at him, Barret particularly levelled his Piece, which was a long one, upon the Gate, when he fired at Mr. Clarke.

The Prisoners being called upon to make their Defence, Gregory acknowledged that he was present at the seizing Mr. Clarke, and that he was hired thereto by Mr. Collington; that at that Time he did not know either Barret or Pain, and never saw them till he met them at Collington's House, and that the Arguments made use of by Collington, Barret and Pain, to induce him to go with them, was, that Mr. Clarke was an outlaw'd Smuggler, and that he was a Five hundred Pounds Man if taken.

Barret acknowledged the Fact as sworn against him, and that he and the rest were hired by Collington to do it; and hoped that as no Harm was done by him to Mr. Clarke, the Court would be favourable to him.

The Judge having given his Charge to the Jury, they brought them in both Guilty; and his Lordship passed the following Sentence upon them; That each

of them should pay a Fine of 13s. 4d. and to suffer two Years Imprisonment in the common Goal for that County; and each of them to give One hundred Pounds Security for their good Behaviour for seven Years afterwards.

HAVING now finished the Trials of *Collington* and *Stone*; as also those of their wicked Confederates, *Barret* and *Gregory*, we are obliged to refer the few remaining Trials at the *Assizes at Maidstone*, to be inserted in a Work published once a Fortnight, at so small a Price as Two-pence, entitled, *The LADIES MAGAZINE*, which will be published on Saturday next, April the 7th, 1750; and therein, after the Remainder of the Trials, will be inserted something very material relating to *Collington* more than has been yet said of him; and particularly a Declaration of *William Luckhurst*, taken from his own Mouth, in relation to what he knew more of *Collington* than he had given in upon his Trial; in particular that *Collington* had hired him to set Fire to a Cottage or Little House, which stood on a waste Piece of Ground belonging to the Countess Dowager of *Rockingham*, which *Luckhurst* did, and the House was burnt down. After which, will be likewise inserted the particular Case and peculiar Hardships of *Robert Swaine* and *Charles Shephard*, Carpenter and Boatswain of his Majesty's Ship the *Medway's Prize*, of 40 Guns; who were falsely charged by *Robert Anbone* and *Daniel Anbone*, with stopping them with Intent to rob them on the Highway, in the Parish of *St. Paul's, Deptford*.

These, and many other Affairs of the greatest Consequence, the Reader will find in the said *LADIES MAGAZINE*; which is a Collection calculated for the Diversion, Amusement and Instruction of both Sexes and of all Ages; and containing whatever is curious or material in History, and every Branch of Science; as also choice Pieces of Wit, Humour, Satire, Trade and Commerce; Voyages, Travels and Expeditions at Sea and Land; with Remarks on the Religion, Laws and Customs of foreign Nations; likewise the History of Love and Gallantry: Also select Pieces of Poetry of every Kind; Foreign Affairs; Domestic Occurrences; Trials and Dying Speeches of the Malefactors executed at *Tyburn*, Monday, March 26; with many other Things too tedious here to mention; but in short of every Thing that is curious and valuable either in the Busy or Learned World.

This *LADIES MAGAZINE* is published by, and may be had of, *G. Griffith*, at the Corner of *Elliot's Court* in the *Little Old Bailey*, the Publisher of this Pamphlet, and of all News Carriers: And Stage Coachmen, Waggoners, or other Persons, may be supplied by the said *G. Griffith*, with good Allowance, to serve them in the Country.

To this may be added, that this *MAGAZINE* has met with the greatest Encouragement and Applause from the Learned and the Curious; and though it is published but once a Fortnight, and the Price of it only Two-pence, yet some Gentlemen judge it equal in every Respect, except in Price, to any of the *MAGAZINES* that are published Monthly.

